

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

RECEIVED

EMMA GIACOMO, by and through her son
and next friend, GEORGE ALFORD,

Plaintiff,

vs.

BEVERLY ENTERPRISES-ALABAMA,
INC., et al.,

Defendants.

2008 JAN -8 A 10:13

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT OF ALA

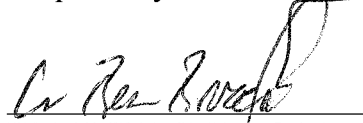
NO.

3:08-cv-19-WKW

DEFENDANT'S DISCLOSURE STATEMENT
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 7.1

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, Beverly Enterprises-Alabama, Inc. d/b/a Beverly Healthcare-Lanett, (incorrectly identified as Beverly Healthcare Services d/b/a Beverly Enterprises-Alabama, Inc.), hereby certifies that the general nature and purpose of its business is the operation of a skilled nursing facility. Counsel also certifies that there are no parents, subsidiaries and/or affiliates of said parties that have issued shares or debt securities to the public. As proof of its disclosure statement, Beverly Enterprises-Alabama, Inc. d/b/a Beverly Healthcare-Lanett attaches the following exhibits: Exhibit 1: Summons served on Beverly Enterprises-Alabama, Inc. and Beverly Healthcare Services Lanett; Exhibit 2: Alabama Division of Corporations Summary for Beverly Enterprises-Alabama, Inc. d/b/a Beverly Healthcare-Lanett; Exhibit 3: H. Rasmussen Jones Aff.)

Respectfully submitted,



W. BENJAMIN BROADWATER (BRO150)

ANDREW C. CLAUSEN (CLA044)

Attorneys for defendant Beverly Healthcare
Services d/b/a Beverly Enterprises-Alabama, Inc.

OF COUNSEL:

ALFORD, CLAUSEN & McDONALD, LLC
One St. Louis Centre, Suite 5000
Mobile, Alabama 36602
(251) 432-1600
(251) 432-1700 (fax)

CERTIFICATE OF SERVICE

I certify that I have served a copy of Defendant's Disclosure Statement Pursuant to Federal Rule of Civil Procedure 7.1 on counsel for all parties by depositing a copy of same in the United States mail, properly addressed and first class postage prepaid:

Nick Wooten, Esq.
WOOTEN LAW FIRM, P.C.
Post Office Box 290
Lafayette, Alabama 36862

David J. Hodge, Esq.
PITTMAN, DUTTON, KIRBY & HELLUMS, P.C.
2001 Park Place North
1100 Park Place Tower
Birmingham, Alabama 35203

Done this 7th day of January 2008.



COUNSEL

State of Alabama
Unified Judicial System
Form C-34 Rev 6/88

**SUMMONS
- CIVIL -**

Case Number:
12-CV-2007-900032.00

**IN THE CIVIL COURT OF CHAMBERS, ALABAMA
EMMA GIACOMO ET AL v. BEVERLY ENTERPRISES-ALABAMA, INC. ET AL**

BEVERLY ENTERPRISES-ALABAMA, INC., C/O CSC LAWYERS INCORPORA 150 S. PERRY ST., MONTGOMERY AL, 36104

NOTICE TO

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE OPPOSING PARTY'S ATTORNEY NICHOLAS WOOTEN

WHOSE ADDRESS IS P.O. BOX 290, LAFAYETTE AL, 36862

THE ANSWER MUST BE MAILED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT.

TO ANY SHERIFF OR ANY PERSONNEL AUTHORIZED by the Alabama Rules of the Civil Procedure:

☐ You are hereby commanded to serve this summons and a copy of the complaint in this action upon the defendant

☒ Service by certified mail of this summons is initiated upon the written request of EMMA GIACOMO
pursuant to the Alabama Rules of the Civil Procedure

12/4/2007 3:56:29 PM

Date

/s CHARLES STORY

Clerk/Register

By

☒ Certified mail is hereby requested

/s NICHOLAS WOOTEN

Plaintiff's/Attorney's Signature

RETURN ON SERVICE:

☐ Return receipt of certified mail received in this office on _____

☐ I certify that I personally delivered a copy of the Summons and Complaint to _____

_____ in _____ County, Alabama on _____

Date

Server's Signature

EXHIBIT

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State of Alabama Unified Judicial System Form C-34 Rev 6/88	SUMMONS - CIVIL -	Case Number: 12-CV-2007-900032.00
IN THE CIVIL COURT OF CHAMBERS, ALABAMA EMMA GIACOMO ET AL v. BEVERLY ENTERPRISES-ALABAMA, INC. ET AL BEVERLY HEALTHCARE SERVICES LANETT, 702 S 13TH STREET, LANETT AL, 36863		
NOTICE TO _____ THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE OPPOSING PARTY'S ATTORNEY NICHOLAS WOOTEN _____ WHOSE ADDRESS IS P.O. BOX 290, LAFAYETTE AL, 36862 THE ANSWER MUST BE MAILED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT. TO ANY SHERIFF OR ANY PERSONNEL AUTHORIZED by the Alabama Rules of the Civil Procedure:		
<input type="checkbox"/> You are hereby commanded to serve this summons and a copy of the complaint in this action upon the defendant <input checked="" type="checkbox"/> Service by certified mail of this summons is initiated upon the written request of EMMA GIACOMO _____ pursuant to the Alabama Rules of the Civil Procedure 12/4/2007 3:56:29 PM /s CHARLES STORY _____ Date Clerk/Register By		
<input checked="" type="checkbox"/> Certified mail is hereby requested /s NICHOLAS WOOTEN _____ Plaintiff's/Attorney's Signature		
RETURN ON SERVICE: <input type="checkbox"/> Return receipt of certified mail received in this office on _____ <input type="checkbox"/> I certify that I personally delivered a copy of the Summons and Complaint to _____ _____ in _____ County, Alabama on _____ _____ Date Server's Signature		



Corporate Details

[INITIATE NEW BROWSE](#)**Corporation**

F/C 882-766

Legal Name: Beverly Enterprises-Alabama, Inc.

State Of Inc: California

Qualified...: 07-12-1982

Date Of Inc.: * Not On Data Base

Reg Agent...: CSC LAWYERS INCORPORATING SVC INC
150 S PERRY ST
MONTGOMERY, AL 36104Prin Address: 873 S FAIR OAKS AVE
PASADENA, CA 91105

Nat Of Bus...: NURSING HOMES

[TRANSACTION LIST](#)[2006](#)[ANNUAL REPORTS](#)[← PREVIOUS PAGE](#)[ISDWebServices](#)[Statements/Policies](#) | [info.alabama.gov](#) | [alabama.gov](#) | [Contact Us](#)

EXHIBIT

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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

EMMA GIACOMO,

by and through her son and next friend,

GEORGE ALFORD,

Plaintiff,

vs.

BEVERLY HEALTHCARE SERVICES

d/b/a BEVERLY ENTERPRISES-

ALABAMA, INC., et al.

Defendants.

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NO. _____

AFFIDAVIT OF HOLLY RASMUSSEN JONES

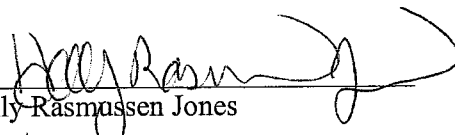
Before me, the undersigned authority, personally appeared Holly Rasmussen Jones, who first being duly sworn, deposes and states as follows:

1. I am over nineteen (19) years of age and hereby provide this affidavit of my own free will, without duress or coercion.
2. I have personal knowledge of the facts contained in this affidavit and/or have reviewed business records created by Beverly Enterprises-Alabama, Inc. and/or maintained by Beverly Enterprises-Alabama, Inc. in the ordinary course of business to obtain the facts contained in this Affidavit.



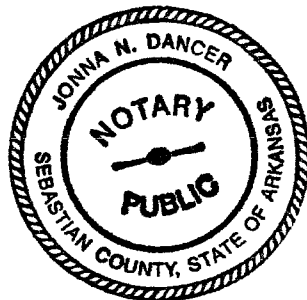
3. I hereby certify that the correct name of the nursing facility named as defendant in this matter is Beverly Enterprises-Alabama, Inc. d/b/a Beverly Healthcare-Lanett.
4. I hereby certify that Beverly Enterprises-Alabama, Inc. is a corporation established under the laws of California.
5. I further certify that, at all times pertinent hereto, Beverly-Enterprises, Alabama Inc. had is principal place of business in Forth Smith, Arkansas or Fresno, California.

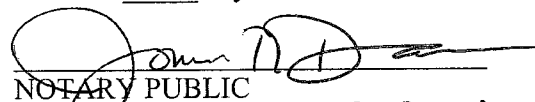
Further Affiant saith naught.


Holly Rasmussen Jones
Secretary
Beverly Enterprises-Alabama, Inc.

STATE OF ARKANSAS
COUNTY OF SEBASTIAN

SWORN to and SUBSCRIBED before me on this the 26th day of December, 2007.




NOTARY PUBLIC
My Commission Expires: 8-30-2014